

STATE OF MICHIGAN
COURT OF APPEALS

YUNHONG DING, Individually and as Next
Friend of SHIYANG DING and DANIEL
SHIWEN DING, Minors,

Plaintiff-Appellant,

v

STATE OF MICHIGAN, DEPARTMENT OF
ATTORNEY GENERAL, DEPARTMENT OF
STATE, and DEPARTMENT OF CIVIL RIGHTS,

Defendants-Appellees.

UNPUBLISHED
September 20, 2002

No. 232272
Court of Claims
LC No. 00-017808-CM

Before: Whitbeck, C.J., and Sawyer and Kelly, JJ.

MEMORANDUM.

Plaintiff appeals as of right the order granting defendants' motion for summary disposition. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff brought this action alleging that the Bureau of Automotive Regulation failed to properly investigate his complaint about an automotive repair facility, and that the other agencies failed to respond to his complaints about the handling of the investigation. Defendants moved for summary disposition, asserting that plaintiff failed to state a claim, his claim was barred by res judicata, and he failed to plead facts in avoidance of governmental immunity. The trial court granted the motion.

This Court reviews a trial court's grant or denial of summary disposition de novo to determine if the moving party was entitled to judgment as a matter of law. *Citizens Ins Co v Bloomfield Twp*, 209 Mich App 484, 486; 532 NW2d 183 (1995). A motion for summary disposition under MCR 2.116(C)(8) tests the legal sufficiency of a claim by the pleadings alone. *Simko v Blake*, 448 Mich 648; 532 NW2d 842 (1995). The motion should be granted where the claim is so clearly unenforceable that no factual development could justify a right to recovery. *Wade v Dep't of Corrections*, 439 Mich 158, 163; 483 NW2d 26 (1992).

Where a party fails to brief the merits of an allegation of error, the issue is deemed abandoned by the Court. *Prince v MacDonald*, 237 Mich App 186, 197; 602 NW2d 834 (1999).

Where a party fails to cite any supporting authority for its position, the issue is also deemed abandoned. *Id.*

Plaintiff failed to respond to the arguments in defendants' motion for summary disposition, and he has not addressed the basis for the trial court's ruling. This Court will not search for authority either to sustain or reject a party's position. *Schellenberg v Rochester Elks*, 228 Mich App 20, 49; 577 NW2d 163 (1998).

Affirmed.

/s/ William C. Whitbeck

/s/ David H. Sawyer

/s/ Kirsten Frank Kelly